

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Form To Be Used By A Prisoner in Filing a Complaint
Under the Civil Rights Act, 42 U.S.C. § 1983

CLERK OF DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 AUG -5 AM 11:58

DEPUTY CLERK *ada*

Charles A. Williams 11061262

Plaintiff's name and ID number

Dallas County Jail (West Tower)

Place of Confinement

Case 14 CV - 2807 M

(Clerk will assign the number)

v.
OySom
P.O. Box 149347
Austin, TX 78714-9347

Defendant's name and address

Allison Taylor
P.O. Box 149347
Austin, TX 78714-9347

Defendant's name and address

Austin (Travis County) Texas
Defendant Dallas (Dallas County) Texas
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate District Court, the Division and an address list of the Divisional Clerks.

FILING FEE AND IN FORMA PAUPERIS

1. In order for your complaint to be filed, it must be accompanied by the filing fee of \$350.00.
2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis* (IFP), setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire \$350 filing fee has been paid.
4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

CHANGE OF ADDRESS

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion (s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

A. Have you filed *any* other lawsuits in state or federal court relating to your imprisonment? ☒ YES ☐ NO

B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: (2-25-14) 3:14-CV-00379-LBN (3:14-CV-01555-PBN) 4-29-14
2. Parties to previous lawsuit:
Plaintiff(s) Charles A. Williams
Defendant(s) Carrie Watkins, Larry Mitchell
3. Court: (If federal, name the district; if state, name the county.) Northern
4. Docket Number: 3:14-CV-00379 & 3:14-CV-01555-PBN
5. Name of judge to whom case was assigned: Hon. Judge A. Sells & Hon. Sam. R. Lindsay
6. Disposition: (Was the case dismissed, appealed, still pending?)
(3:14-CV-00379 still pending) (3:14-CV-01555-PBN dismissed)
7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: West Tower Dallas County Jail

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? YES X NO

Attach a copy of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Charles R. Williams 1104242

22 Bayview 337 Dallas, TX 75214

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: OVSSM is not responsible over civil commitment
P.O. Box 149347 Austin, TX 78714-9347

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. OVSSM denied me my constitutional rights and Due Process violation: Punitive violations, Equal protection as the program applied them

Defendant #2: Allison Taylor manager over civil commitment case
managers (OVSSM) P.O. Box 149347 Austin, TX 78714-9347

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Ms. Taylor was directly over my case managers Tiffany Maybanks, who ordered me to stay in my room for 5 days without food & water

Defendant #3: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

I'm under the authority of OVSOM while on civil commitment at the Wayback house where I side, while on the program in Dallas Tx. OVSOM violated my constitutional rights by authorizing Tiffany Maybank my case manager while I'm in the program, to restrict me to my room from Aug 22, 2011 to Aug. 26, 2011 without food and water. OVSOM also denied my constitutional rights by not allowing me to attend church to practice my religion, I was told this by my case managers Arthur O'Byrne and Wesley Driffin. I was also denied to seek our higher education, I informed my case manager Wesley Driffin that I needed (3) classes to receive my bachelors degree he stated they (OVSOM) would not authorize me to attend college.
 * Additional page attached *

VI. RELIEF: State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

THE Plaintiff is seeking five million dollars in financial compensation from each defendant mentioned in this suit

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases:

N/A

B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if known to you.

TDCJ-ID 584333

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division):

2. Case Number:

3. Approximate date sanctions were imposed:

4. Have the sanctions been lifted or otherwise satisfied?

YES NO

Statement of Claim

nor would I be allowed to attend online. I am being denied a job, so I have no means to support myself. Under the Equal Protection, I'm being discriminated against by OVSOM because they're no women in the program. They are also Punitive because I was denied contact from day to day with community, and a relationship. Under OVSOM my case manager, and treatment provider constantly threaten me with jail or to be jailed. My case manager, and treatment provider forced my family to divulge their social security numbers to them if they wanted to write, speak with me over the phone, or visit with me while I was in the program, when my family questioned their motive, they stated if they refuse it would only make it worse for me and I would end up in jail. Out of fear for my well being and safety they provided that information to Andrew O'Byrne, and William K. Brunner. OVSOM has informed my case manager that he/she can open any or all of our mail without our permission or without us being present. When I informed them that it was illegal to open my mail or to withhold my mail, my case manager stated they were authorized by Allison Taylor, and OVSOM, and challenging them will only get me put in jail. Civil commitment is an unconstitutional violation the whole program is "as applied" is illegal if its not applied the way the Legislators funded it to be run. (as a treatment program) My due process is also violated because I am classified as having no abnormality, which is considered a mental illness. By a treatment provider just saying I'm not progressing in treatment isn't good enough to lock

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* Statement of Claim *

me up. If this is a mental illness they (OVSON) claim a treatment provider can cure, despite the fact no one has been released from the program in it's 15 yr history. Placing one in jail cannot improve them in treatment. If no one has ever been released from the program. How can the treatment provider determine who is making progress. That is discrimination. Allison Taylor is directly over my case manager Tiffany Maybanks, any action later against me must come directly from Allison Taylor under the authority of the OVSON. Being that I was denied the right to attend my religious services, and to attend College my case managers Andrew O'Bryan Wesley Griffin & Tiffany Maybanks stated individually that they receive their orders directly from their boss, Allison Taylor. and the (OVSON).

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO
- D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): _____
2. Case Number: _____
3. Approximate date warnings were imposed: _____

Executed on: 6/30/14
DATE

Charles A. Williams
Charles A. Williams
(Signature of plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$350 filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from my inmate account by my custodian until the filing fee is paid.

Signed this 30 day of June, 14.
(Day) (month) (year)

Charles A. Williams
Charles A. Williams
(Signature of plaintiff)

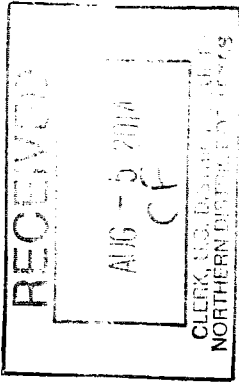
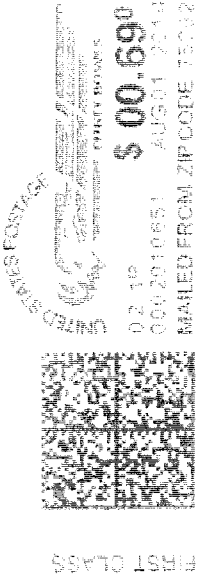
WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limited to monetary sanctions and/or the dismissal of this action with prejudice.

mailed with
11061262 2-P-7
P.O. Box 60334
Dallas, TX 75264

3-14CV-2807M

(legal mail)

7524281310



U.S. District Court
Office of the Clerk
1100 Commerce St. Rm. 1452
Dallas, TX 75242